

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RAYMOND M. GONZALES,

Petitioner,

v.

Case No. 11-cv-0686 MCA/SMV

**ERASMO BRAVO, Warden,
Guadalupe Correctional Facility, and
ATTORNEY GENERAL FOR THE
STATE OF NEW MEXICO,**

Respondents.

ORDER GRANTING PETITIONER’S MOTION TO HOLD IN ABEYANCE

THIS MATTER is before the Court on Petitioner’s Motion to Hold in Abeyance This Petition to Further Exhaust State Claims [Doc. 20] (“Motion”). Petitioner requests that this action be stayed pending exhaustion of his state-court remedies. *Id.* Respondents did not respond to the Motion, and such failure to respond is deemed consent to grant the motion. *See* D.N.M.LR-Civ. 7.1(b). Furthermore, Respondents themselves have previously suggested this remedy. Respondents’ Answer to Petition for Writ of Habeas Corpus (28 U.S.C. § 2254) [Doc. 10] (“Answer”) at 11.

Accordingly, the Court, having considered the Motion, the lack of the response in opposition, the record, the relevant law, and being otherwise informed, FINDS that the Motion is well-taken and should be GRANTED.

IT IS THEREFORE ORDERED that Petitioner’s Motion to Hold in Abeyance This Petition to Further Exhaust State Claims [Doc. 20] is **GRANTED**.

IT IS FURTHER ORDERED that this action is **STAYED** until Petitioner has exhausted his state-court remedies.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is written above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge